

10770
A
L E T T E R

T O A

DISSENTING MINISTER,

— K
CONTAINING

REMARKS on the late Act for the RELIEF
of his Majesty's Subjects professing the
POPISH RELIGION;

W I T H

Some STRICTURES on the Appeal from the Protestant
Association to the People of Great Britain.

A L S O

Extracts from several Acts of Parliament; with a brief State of
the Penal Law, as it now stands, shewing that neither POPISH
PRIESTS nor SCHOOL-MASTERS are legally tolerated in exer-
cising any Part of their Functions; and recommending Christian
Charity and Forbearance towards all the peaceable Worship-
pers of God.

By a LAY DISSENTER.

L O N D O N,

Printed for W. NICOLL, No. 51. St. Paul's Church-yard.

MDCCLXXX.

L E T T E R

TO A

DISSENTING MINISTER,

CONTAINING

REMARKS on the late AG for the Rights
of his Majesty's Subjects professing the
Protestant Religion;



Some Extracts from the Protestant
Association to the People of Great Britain.

A L S O

Extracts from the AG of Parliament; with a brief State of
the British Law, as it now stands respecting the rights of Protestants
in Great Britain; and a list of the names of the persons who have
been recommended by the AG of Parliament to the consideration of the
House of Commons, for the purpose of obtaining a Bill for the
relief of the Protestants in Great Britain.

BY A LAY DISSENTER.

L O N D O N

Printed for W. N. G. at No. 11, St. Paul's Church-yard.

MDCCLXXXII

DISSENTING MINISTER.

REVEREND SIR,

HAVING considered the business of the present Protestant Association, I now sit down to commit my thoughts to paper, that they may be transmitted to you, agreeably to my engagement. Conscious of my inability to investigate so important a subject, I wish to deliver my sentiments with a becoming modesty; and convinced, at the same time, of your liberal disposition of mind, I shall proceed with that freedom which such a liberality, heightened by friendship, is calculated to produce.

Previous to my entering upon the proposed business, I beg leave to call the Canada bill to your recollection: it passed in the year 1774, and was represented, by our patriots, as a prelude to an intended establishment of popery here. My opinion at that time was, that the limits of the province of Canada had been enlarged, its former mode of government restored, and popery established, for the sole purpose of overawing and counteracting those colonies which were then refractory, soon afterwards revolted, and are now leagued with our natural enemies for the destruction of their parent state. Our leaders in opposition seemed to be greatly alarmed

B

on

on the occasion, and their fears were industriously founded throughout the kingdom : but as the late bill, for the relief of our popish fellow-subjects, was brought in and supported by the same men, it may fairly be inferred, that they saw the propriety of both the acts in the exigency of the times, that they firmly believed them to have been framed for political purposes only, and that there was not the least intention to promote the growth of popery, or to injure the protestant cause.

Thinking it necessary to advert to the "Appeal from the Protestant Association to the People of Great Britain," in order to form a judgment on their motives and views; I shall quote some parts of that pamphlet, and make a few remarks on the passages.

In the seventh page they say : " It is not our desire
 " to persecute ; but, as protestants, we are concerned
 " to secure ourselves, and our posterity, from popish per-
 " secution. When we call to mind the protestant
 " blood that has been shed by papists, both at home
 " and in foreign countries, we cannot but be excited to
 " use every legal expedient, to prevent the return of
 " such a national calamity." To this, Sir, I hope
 every protestant will most cheerfully agree. So far as
 the associators really endeavour to avoid persecution in
 themselves, and properly guard against it in their po-
 pish fellow-subjects, their conduct will merit applause,
 and it will be deemed worthy of universal imitation.
 Whether the subsequent part of their pamphlet breathes
 the same laudable spirit, I shall proceed to inquire.

In pages 8th and 13th they say : " If our wisest and
 " best laws against popery are now virtually repealed,
 " and our constitution actually endangered ; with what
 " spirit and unanimity should we act, to preserve our
 " civil and religious liberty from the encroachments of
 " popery, and from its inseparable concomitant, ARBI-

TRARY

“ **TRARY POWER?**—It is also incompatible with
 “ the preservation of our civil constitution to tolerate
 “ popery; which not only enslaves the mind, but
 “ would bind nobles and people with the iron chains of
 “ despotism. It is a system convenient for tyrants;
 “ we, at least of this country, have ever found it look-
 “ ing with a malignant aspect on freedom, and active
 “ in the retinue of arbitrary power.”

Here, Sir, the association, upon a supposition that our wisest and best laws against popery are virtually repealed, and our constitution actually endangered, call upon us to act with spirit and unanimity, in order to preserve our civil and religious liberties from the encroachments of popery, and from its inseparable concomitant, *arbitrary power*. Here the real designs of the associators appear; they obliquely charge government with having a system of despotism and tyranny in view; and they endeavour to make us believe, that a *toleration* of popery will produce those direful effects, which, in my opinion, can only result from its *establishment*. For my part, I think our present government is, by much, the mildest upon earth; and I will venture to say, that neither the associators, nor their co-partners, the leaders in opposition, are capable of proving, that our most gracious sovereign ever shewed the least intention to establish a system of tyranny over his subjects. As a Christian I think it my duty to oppose the errors of popery; and as a protestant, I wish the shocking persecutions which have marked the Roman catholic religion in several countries, may induce every protestant state to guard against a repetition of such horrid barbarities: but, at the same time, I think it incumbent on *all* to avoid every thing like persecution on account of religion.

The associators, in the 34th page of their Appeal, say: “ To repeal an act to prevent the resort of popish

“ bishops, priests, and jesuits, to these realms, is a
 “ strong encouragement, not to say invitation to them
 “ to come over in abundance ;” but the whole of this
 assertion appears to be contrary to truth ! The late act
 was passed for the express purpose of “ *relieving his*
 “ *Majesty's subjects professing the popish religion,*” and
 cannot be construed to extend to foreigners of any
 description. The act of the eleventh and twelfth of
 William the Third, subjects all popish bishops, priests,
 and jesuits, who exercise any part of their functions
 within these realms, to perpetual imprisonment ; and it
 holds out a reward of an hundred pounds to those who
 shall prosecute any such offender to conviction. This
 part of the aforesaid act was repealed by the late statute,
 on condition of their taking the oath therein stated ; but
 as foreigners are incapable of taking that oath, the afore-
 said act of William III. is still in full force against them ;
 and consequently, all that the associators say on that head,
 in pages 34, 35, and 36, must fall to the ground.

The associators, in describing (page 44) the hasty
 manner in which the late act passed, say : “ There
 “ *has been* a time, when the spirit of the people would,
 “ and justly too, have been *roused* at such surreptitious
 “ conduct : but, alas, for the welfare of these realms !
 “ a spirit of supineness and indifference, as to the in-
 “ terests of religion and liberty, strangely pervades the
 “ kingdom ; and the zeal of our ancestors, either for the
 “ protestant cause, or for our glorious constitution, is
 “ rarely to be found.” This, Sir, deserves our most
 serious attention. The legislature passed an act for the
 relief of our popish fellow-subjects, and the associators,
 like their minority friends, are now endeavouring to ex-
 cite the people to oppose its tolerant designs. Whoever
 endeavours to bring the mildest government upon earth
 into contempt with the people, from a pretended zeal
 for

for the constitution, acts clearly contrary to the character of a good subject; and all attempts to serve the cause of religion, by raising dangerous commotions in that state which is peculiarly friendly to every species of liberty, are directly contrary to every scripture precept and example, and repugnant to the peaceable and benign spirit of the gospel.

The association, in pages 45 and 46, say: "The principal arguments in favour of the bill are the following:—that papists are become good subjects, and therefore ought no longer to be exposed to the penalties of such severe statutes;—that, in the present situation of affairs, the late repealing act was necessary, to conciliate their affection to government—and that no bad consequences can result therefrom, as popery is not now of an intolèrant and persecuting spirit." From these premises, Sir, they conclude, that "the papists were rendered firm in their allegiance, by the operations of the wise enactments which are now repealed:" and they ask, by way of charge: "Why were they repealed?"

To say that the papists were rendered firm in their allegiance, by the operation of the wise enactments which are now repealed, is, in my opinion, worse than *jesuitical sophistry*; and hence I believe, that the question which the associators have framed upon that forced conclusion, does not deserve any answer. Had the associators been actuated by a due regard for truth and justice, they would have acknowledged, that the British Roman catholics, although denied the participation of several valuable privileges, have appeared firm in their attachment to government, amidst the shameful defection of thousands of their protestant fellow-subjects who enjoy all the common privileges of Britons; and they would have concluded, that their loyalty and general
good

good behaviour, during our present troubles, call on the generosity, as well as the good policy of government, to mitigate the severity of their civil and religious restraints,

The association, in order to prove our popish fellow-subjects unworthy of that relief which has lately been granted them, says, in pages 52 and 64: " They presume on the lenity of government; and use various artifices to ensnare the children of the poor, and to pervert the ignorant to their destructive errors: they even insult protestant ministers in the discharge of their duty.—Papists are insolent and presuming: and nothing but a law to repeal or qualify the late act, can keep them within the bounds of allegiance and decency."

Here, Sir, the associators may with great propriety be asked, whether every article of the above charge does not fall with tenfold weight on thousands of our protestant fellow-subjects? Have not they presumed on the lenity of government, and frequently insulted, not only our ministers, but even Majesty itself? Have not they been exceedingly insolent and presuming? And have not they, in numberless instances, far surpassed the bounds of allegiance and decency? Let the association view the daring rebellion, unparalleled perjuries, confiscations of private property, illegal imprisonments, arbitrary banishments, and horrid murders beyond the Atlantic, and lay their hands on their mouths: let them turn their eyes to the parricidial conduct of multitudes of protestants here, and blush!

The associators, in page 62, say: " The people of Great Britain have lately had striking proofs of the sincerity of popish assurances, from the insidious conduct of our Roman catholic neighbours." And, in page 63, they add: " Forgetting their public disavowals of the
" American

“ American cause, and their solemn protestations to the
 “ British ministry; their *most christian and catholic ma-*
 “ *jesties*, without the least provocation, contrary to the
 “ faith of treaties, and to the law of nations, united for
 “ our destruction.”

That France and Spain have been guilty of great duplicity, respecting the American rebellion, I freely admit; but, if the Roman catholic religion be chargeable with that shameful perfidy, how will protestantism appear, when charged with the parricidious conduct of many thousands of its zealous professors in this kingdom? Forgetting that duty which they owe to themselves as Britons, and regardless of their obligations to their king and country, many of our protestant fellow-subjects, in their pernicious opposition to government, have excited the colonies to rebel, persuaded France and Spain to espouse their unnatural cause, and are now assiduously endeavouring to promote their destructive views!

The association, in pages 65 and 66, says: “ Should
 “ it be objected, that, as the act is passed, it would
 “ now be dangerous to repeal it: let us at least apply
 “ for a restraining act, to qualify, amend, and explain
 “ the popish bill.—An act, to declare, that the former
 “ penal statutes are in full force, and that persons shall
 “ be duly encouraged in putting them into execution,
 “ to prevent the further growth of popery.—An act, to
 “ amend the form of the oath in that passed for the re-
 “ lief of the papists, that protestants, who are required
 “ to take the oath of supremacy, may not be necessitated
 “ to incur the guilt of perjury.—An act, to prevent the
 “ papists (if they must be permitted to acquire landed
 “ property) from interesting themselves, directly or in-
 “ directly, in any election for members of parliament,
 “ on pain of forfeiture of their estates.—An act, to pre-
 “ vent

“ vent jesuits from resorting hither under heavy penalties, and to prohibit the attempts of papists to pervert protestants to their erroneous tenets, on pain of exemplary punishment.—And lastly, (if papists must be permitted to teach those of their own principles in private) an act, to restrain them from keeping public schools, and teaching the children of protestant parents, on pain of perpetual imprisonment or banishment.”

Without pretending to know what danger would attend a repeal of the late act, I will venture to say, that, unless imminent danger to the protestant interest appears manifest, it would be highly ridiculous and unjust. I hope none will object to any qualifying, amending, or explaining of the popish bill that shall appear to be consistent with the principles of our excellent constitution and the spirit of christianity.—As the late act only repealed certain clauses of an act, passed in the 11th and 12th of William the Third, all the former penal statutes are certainly in full force; and as some of them are very severe, the association, in wishing to encourage persons to put them into execution, give but a sorry proof of their aversion to persecution. That all the former penal statutes are now in full force, appears evident by the aforesaid act of William the Third. Those clauses of that act, which are now repealed, were not enacted in the *room* and *stead* of, but expressly declared to have been, “ *over and beyond* the good laws already made;” and therefore, the repealing of those clauses by the late act, can nowise impair the legal force of any former penal statute.—As the pope’s authority is not recognized in the form of the oath administered to papists under the late act, I cannot see the necessity of a protestant’s incurring the guilt of perjury by taking the oath of supremacy.—An act to prevent papists from interesting

teresting themselves in any election for members of parliament, may probably become requisite.

The act 27th of Elizabeth, forbids all jesuits, &c. born within her Majesty's dominions, to resort hither on pain of *high treason*; and the act of the 11th and 12th of William the Third, forbids all foreign bishops, priests, and jesuits, to officiate in these realms on pain of perpetual imprisonment: but to prohibit the *attempts* * of papists to pervert protestants to their erroneous tenets, on pain of exemplary punishment, would be persecution with a witness. Such prohibition and punishment might be construed to extend to every free conversation between protestants and papists on religious subjects, and would much better become a popish *inquisition* than a protestant state.—Papists ought, in my opinion, to be restrained from keeping public schools, and likewise from teaching the children of protestant parents, but not on pain of perpetual imprisonment or banishment: some milder punishment may answer the purpose, and do more honour to the Christian profession. If our legislature wish to serve the cause of religion, without incurring the guilt of persecution, the annexed punishment, whatever it may be, ought to extend to the protestant parents as well as to the popish teachers of their children: and some mode may be established for educating, at the public expence, the children of all protestants, who, through indigence, shall appear utterly incapable of performing that necessary duty.

* The act 23d of Elizabeth, makes the *actual* withdrawing, and being withdrawn, from the established to the Romish religion *treason*; and it declares the aiders, maintainers, and concealers of such withdrawing, guilty of misprison of treason.

In short, Sir, the act which the associators want, "to qualify, amend, and explain the popish bill," is intended to allow them no more than a right to purchase lands under certain restrictions, and to teach the children of popish parents in private; whilst, in the peaceable exercise of their religion, they would be liable to a rigorous execution of all the former penal statutes! I say *rigorous* execution, because the associators are for *encouraging persons* to put all the former penal laws into execution. Can such conduct be deemed consistent with the religion of our adorable Redeemer? Shall that gospel, which, in its infancy, made rapid progress, notwithstanding the powers of earth and hell were combined against it, now depend on an *act of parliament* for its support? And shall protestantism, which has not only survived the fire of several persecutions, but even flourished through the very means which papal cruelty devised for its extirpation, now call for the *civil arm* to defend it against the sophistry, superstition, will-worship, and idolatry of our impotent popish fellow-subjects? Publish it not in France or Spain, tell it not in the streets of Rome, lest all the enemies of the protestant cause rejoice. If protestantism cannot stand the test with popery, the unerring scriptures being admitted as the only criterion, it is high time for us to know wherein its inferiority consists: the matter in question is surely of the utmost importance, and worthy of our most serious attention.

In order to show how the laws now stand, respecting popery, I shall produce extracts from five acts of parliament, and make some remarks on those which have been repealed by the late statute.

The act 23d of Elizabeth, chap. 1. makes it treason to withdraw, or to be withdrawn from the religion established, to the Romish religion: and it declares all
aiders,

aiders, maintainers, and concealers, of such withdrawing, guilty of misprison of treason. The penalty for saying and hearing of mass, is expressed, by the fourth section of that statute, in the following words, viz.

“ And be it likewise enacted, that every person which
 “ shall say or sing mass, being thereof lawfully con-
 “ victed, shall forfeit the sum of two hundred marks,
 “ and be committed to prison in the next county goal,
 “ there to remain by the space of one year, and from
 “ thenceforth till he have paid the said sum of two hun-
 “ dred marks: and that every person which shall wil-
 “ lingly hear mass, shall forfeit the sum of one hundred
 “ marks, and suffer imprisonment for one year.”

The act 27th of Elizabeth, chap. 2. sect. 3. runs as follows: “ And be it further enacted, by the authority
 “ afore said, that it shall not be lawful to or for any
 “ jesuit, seminary priest, or other such priest, deacon,
 “ or religious or ecclesiastical person whatever, being
 “ born within this realm, or any other her highness’
 “ dominions, and heretofore since the said feast of the
 “ nativity of St. John the Baptist, in the first year of
 “ her Majesty’s reign, made, ordained, or professed, or
 “ hereafter to be made, ordained, or professed, by
 “ any authority or jurisdiction derived, challenged, or
 “ pretended from the See of Rome, by or of what name,
 “ title, or degree soever the same shall be called or
 “ known, to come into, be or remain in any part of
 “ this realm, or any other her highness’ dominions,
 “ after the end of the same forty days, other than in
 “ such special cases, and upon such special occasions
 “ only, and for such time only, as is expressed in this
 “ act; and if he do, that then every such offence shall
 “ be taken and adjudged to be high treason; and every
 “ person so offending, shall for his offence be adjudged
 “ a traitor, and shall suffer, lose, and forfeit, as in cases

“ of high treason.” Section 4th, “ And every person,
 “ which after the end of forty days, and after such
 “ time of departure as is before limited and appointed,
 “ shall wittingly and willingly receive, relieve, com-
 “ fort, aid, or maintain any such jesuit, seminary priest,
 “ or other such priest, deacon, or religious or ecclesiasti-
 “ cal person, as is aforesaid, being at liberty, or out
 “ of hold, knowing him to be a jesuit, seminary priest,
 “ or other such priest, deacon, or religious or eccle-
 “ siastical person, as is aforesaid, shall also for such
 “ offence be adjudged a felon, without benefit of clergy,
 “ and suffer death, lose and forfeit, as in case of one
 “ attainted of felony.”

The act 1st of James I. chap. 4th, confirms the sta-
 tutes made against papists in the preceding reign, and
 prohibits teaching, by popish schoolmasters, in the follow-
 ing words: “ And be it further enacted by the authority
 “ aforesaid, that no person after the feast of St. Michael
 “ the Archangel next shall keep any school, or be a
 “ schoolmaster, out of any the universities or colleges of
 “ this realm, except it be in some public or free gram-
 “ mar school, or in some such nobleman’s or noble-
 “ woman’s, or gentleman’s or gentlewoman’s house, as
 “ are not recusants, or where the same schoolmaster
 “ shall be specially licenced thereunto by the arch-
 “ bishop, bishop or guardian of the spiritualities of that
 “ diocese; upon pain that as well the schoolmaster, as
 “ also the party that shall retain or maintain any such
 “ schoolmaster contrary to the true intent and mean-
 “ ing of this act, shall forfeit each of them for every
 “ day so wittingly offending, forty shillings. The one
 “ half of all the penalties and sums of money before
 “ mentioned to be forfeited, to be to the king, his heirs
 “ and successors, the other to him or them that shall
 “ or will sue for the same, in any of the courts of re-
 “ record

“ cord in Westminster, by action of debt, bill, plaint,
 “ or information.”

The act 3d of James the I. chap. 5th, says: “ That
 “ such persons as shall first discover to any justice of
 “ peace, any recusant or other person which shall en-
 “ tertain or relieve any jesuit, seminary or popish
 “ priest, or shall discover any mass to have been said,
 “ and the persons that were present at such mass, and
 “ the priest that said the same, or any of them, within
 “ three days next after the offence committed, and that
 “ by reason of such discovery any of the said offenders
 “ be taken and convicted or attainted, that then the per-
 “ sons which hath made such discovery, shall not only
 “ be freed from the danger and penalty of any law for
 “ such offence, if he be an offender therein, but also
 “ shall have the third part of the forfeiture of all such
 “ sums of money, goods, chattles, and debts, which
 “ shall be forfeited by such offence, so as the same total
 “ forfeiture exceed not the sum of one hundred and fifty
 “ pounds; and if it exceed the sum of one hundred
 “ and fifty pounds, the said persons so discovering the
 “ said offence, shall have the sum of fifty pounds only
 “ for such discovery.”

The act 11th and 12th of William the Third, ordain-
 ed: “ That from and after the five and twentieth day of
 “ March, one thousand and seven hundred, all and
 “ every person and persons, who shall apprehend and
 “ take one or more popish bishop, priest, or jesuit, and
 “ prosecute him or them so apprehended and taken, un-
 “ til he or they be convicted of saying mass, or of
 “ exercising any other part of the office or function of
 “ a popish bishop or priest within these realms, shall
 “ have and receive from the sheriff or sheriffs of the
 “ county where such conviction shall be made (without
 “ paying any fee for the same) for every such offender
 “ so

“ so convicted, the sum of one hundred pounds, with-
 “ in four months after such conviction, and demand
 “ thereof made, by tendering a certificate to the said
 “ sheriff or sheriffs, under the hand or hands of the
 “ judge or justices before whom such conviction shall
 “ be made, certifying the conviction of such popish
 “ bishop, priest, or jesuit; and also that such popish
 “ bishop, priest, or jesuit, popish bishops, priests, or
 “ jesuits, was or were taken by the person or persons
 “ claiming the said reward.—And for a further reme-
 “ dy against the growth of popery, over and beyond the
 “ good laws already made, be it further enacted by the
 “ authority aforesaid, that if any popish priest or jesuit
 “ whatsoever, shall say mass, or exercise any other part
 “ of the office or function of a popish bishop or priest
 “ within these realms, or the dominions thereunto be-
 “ longing; or if any papist, or person making pro-
 “ fession of the popish religion, shall keep school, or
 “ take upon themselves the education or government,
 “ or boarding of youth in any place within this realm,
 “ or the dominions thereunto belonging, such persons
 “ being thereof lawfully convicted, that then every such
 “ person shall on such conviction be adjudged to perpe-
 “ tual imprisonment, in such place or places within
 “ this kingdom, as the king by the advice of his privy
 “ council shall appoint.

“ And be it also enacted by the authority aforesaid,
 “ that from and after the nine and twentieth day of
 “ September, which shall be in the year of our Lord
 “ one thousand seven hundred, if any person educated
 “ in the popish religion, or professing the same, shall not
 “ within six months after he or she shall attain the age
 “ of eighteen years, take the oaths of allegiance and
 “ supremacy, and also subscribe the declaration set down
 “ and exprest in an act of parliament, made in the thir-
 “ tieth

“ tieth year of the reign of the late King Charles the
 “ Second, intituled, an act for the more effectual pre-
 “ serving the king’s person and government, by disabling
 “ papists from sitting in either House of Parliament, to
 “ be by him or her made, repeated and subscribed in the
 “ Courts of Chancery or King’s Bench, or Quarter Ses-
 “ sions of the county where such person shall reside,
 “ every such person shall in respect of him or herself
 “ only, and not to or in respect of any of his or her
 “ heirs or posterity, be disabled and made incapable to
 “ inherit or take by descent, devise, or limitation, in
 “ possession, reversion or remainder, any lands, tene-
 “ ments, or hereditaments, within the kingdom of Eng-
 “ land, dominion of Wales, or town of Berwick upon
 “ Tweed : and that during the life of such person, or
 “ until he or she do take the said oaths, and make, re-
 “ peat, and subscribe the said declaration in manner a-
 “ foresaid, the next of his or her kindred, which shall
 “ be a protestant, shall have and enjoy the said lands,
 “ tenements, and hereditaments, without being ac-
 “ countable for the profits by him or her received during
 “ such enjoyment thereof as aforesaid : and that from and
 “ after the tenth day of April, which shall be in the
 “ year of our Lord one thousand seven hundred, every
 “ papist, or person making profession of the popish reli-
 “ gion, shall be disabled, and is hereby made incapable,
 “ to purchase, either in his or her own name, or in the
 “ name of any other person or persons, to his or her use,
 “ or in trust for him or her, any manors, lands, profits
 “ out of lands, tenements, rents, terms, or heredita-
 “ ments, within the kingdom of England, dominion of
 “ Wales, and town of Berwick upon Tweed ; and that
 “ all and singular estates, terms, and any other interests
 “ or profits whatsoever out of lands, from and after the
 “ said tenth day of April, to be made, suffered, or done,

“ to

“ to or for the use or behoof of any such person or persons, or upon any trust or confidence, mediately or immediately, to or for the benefit or relief of any such person or persons, shall be utterly void and of none effect, to all intents, constructions, and purposes whatsoever.

“ And whereas by an act made in the third year of King James the I. intituled, an act to prevent and avoid dangers which may grow by popish recusants, whoever shall be convicted of sending, or causing to be sent, any child, or any other person under their government, into parts beyond the seas out of the king's obedience, to the intent that such child or person so sent should be educated in the Romish religion, contrary to the said act, is to forfeit one hundred pounds, one half to the king's Majesty, and the other half to him that shall sue for the same: for the greater encouragement and reward of those who shall discover such offenders, be it enacted by the authority aforesaid, that the said sum of one hundred pounds shall be to the sole use and benefit of him or her who shall discover and convict any person so offending, to be recovered in such manner as in the said recited act is enacted; any thing in the said act to the contrary notwithstanding.”

All the foregoing quotations from the several statutes are now in full force, excepting those from the act of William the III. which, excepting the last paragraph concerning the sending of any child or other person beyond the seas to be educated in the Romish religion, were repealed by the late act, so far as they relate to British subjects. The disability in papists to inherit or take by descent, devise, or limitation, in possession, reversion, or remainder, any lands, tenements, or hereditaments; and also their disability to purchase any manors,

nors,

nors, lands, profits out of lands, tenements, rents, terms, or hereditaments, is removed by the late act, provided that every claimer do, “ within the space of “ six calendar months after the passing of this act, or “ of accruing of his, her, or their title, being of the “ age of twenty-one years, or who, being under the “ age of twenty-one years, shall, within six months “ after he or she shall attain the age of twenty-one “ years, or being of unsound mind, or in prison, or beyond the seas, then within six months after such “ disability removed, take and subscribe an oath in the “ words following :

“ I A. B. do sincerely promise and swear, that I will “ be faithful and bear true allegiance to his Majesty “ King George the Third, and him will defend, to the “ utmost of my power, against all conspiracies and attempts whatsoever that shall be made against his person, crown, or dignity ; and I will do my utmost endeavour to disclose and make known to his Majesty, “ his heirs and successors, all treasons and traiterous “ conspiracies which may be formed against him or “ them ; and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the “ succession of the crown in his Majesty’s family, against “ any person or persons whatsoever ; hereby utterly renouncing and abjuring any obedience or allegiance “ unto the person taking upon himself the style and title “ of *Prince of Wales*, in the life-time of his father, “ and who, since his death, is said to have assumed the “ style and title of *King of Great Britain*, by the name of “ *Charles the Third*, and to any other person claiming or “ pretending a right to the crown of these realms : and I “ do swear, that I do reject and detest, as an unchristian and impious position, that it is lawful to “ murder or destroy any person or persons whatsoever,

D

“ for

“ for or under pretence of their being heretics ; and
 “ also that unchristian and impious principle, that no
 “ faith is to be kept with hereticks : I further declare,
 “ that it is no article of my faith, and that I do re-
 “ nounce, reject, and abjure, the opinion that princes
 “ excommunicated by the pope and council, or by any
 “ authority of the see of *Rome*, or by any authority
 “ whatsoever, may be deposed or murdered by their sub-
 “ jects, or any person whatsoever : and I do declare, that
 “ I do not believe that the pope of *Rome*, or any other
 “ foreign prince, prelate, state, or potentate, hath or
 “ ought to have, any temporal or civil jurisdiction,
 “ power, superiority, or pre-eminence, directly or in-
 “ directly, within this realm. And I do solemnly, in
 “ the presence of God, profess, testify, and declare, that
 “ I do make this declaration, and every part thereof,
 “ in the plain and ordinary sense of the words of this
 “ oath ; without any evasion, equivocation, or mental
 “ reservation whatsoever ; and without any dispensation
 “ already granted by the pope, or any authority of the
 “ see of *Rome*, or any person whatever ; and without
 “ thinking, that I am or can be acquitted before God
 “ or man, or absolved of this declaration, or any part
 “ thereof, although the pope, or any other persons, or
 “ authority whatever, shall dispense with or annul the
 “ same, or declare that it was null and void.”

Although the late act has repealed all that part of the
 statute, made in the eleventh and twelfth years of the
 reign of King William the Third, which “ relates to
 “ the apprehending, taking, or prosecuting of popish
 “ bishops, priests, or jesuits ; and also so much of the
 “ said act as subjects popish bishops, priests, or jesuits,
 “ and papists, or persons professing the popish religion,
 “ and keeping school, or taking upon themselves the
 “ education or government or boarding of youth, within
 “ this

“ this realm, or the dominions thereunto belonging, to
 “ perpetual imprisonment :” yet none can claim the be-
 nefit thereof unless they have taken and subscribed the
 preceding oath. This will clearly appear, by the fol-
 lowing clause of the late act : “ Provided always, and it
 “ is hereby enacted and declared, that nothing in this
 “ act contained shall extend, or be construed to extend,
 “ to any popish bishop, priest, jesuit, or schoolmaster,
 “ who shall not have taken and subscribed the above
 “ oath in the above words before he shall have been ap-
 “ prehended or any prosecution commenced against
 “ him.”

As the act of William the Third comprehends
 foreigners, as well as his Majesty's subjects, and as the
 former cannot take and subscribe *that* oath which is in-
 dispensibly necessary to entitle them to the benefit of the
 late act, it is evident that foreigners are still under the
 act of William the Third, and liable to perpetual im-
 prisonment ; excepting only such foreign priest as shall
 officiate within the dwelling house of any foreign mi-
 nister residing here, provided that “ the name of such
 “ priest, and the place of his birth, and the foreign mi-
 “ nister to whom he shall belong, be entered and re-
 “ gistered in the office of the principal secretary of
 “ state.”

The act 23d of Elizabeth, makes the withdrawing,
 and being withdrawn, from the established to the Ro-
 mish religion, treason ; and it declares the aiders, main-
 tainers, and concealers of such, guilty of misprison of
 treason. By the same act, all who say and hear mass
 are liable to a fine and a year's imprisonment : and
 the act 3d of James the First, gives one third part of
 all such fines to those who shall prosecute the offenders
 to conviction.

By the act 27th of Elizabeth. It is treason in any jesuit, seminary priest, or other such priest, deacon, or religious or ecclesiastical person whatsoever, being born within her Majesty's dominions, to come into, be or remain in any part of the realm; and felony, without benefit of clergy, in those who wittingly and willingly receive, relieve, comfort, aid, or maintain them.—For the encouragement of those who shall discover the entertainers, or relievers of any jesuit, seminary or popish priest, the act 3d of James the First allows them one third part of the forfeitures of all such sums of money, goods, chattles, and debts, which shall be forfeited by such offence; so that the said third part shall, in no case, exceed the sum of fifty pounds.

The act 1st of James the First, lays a fine of forty shillings a day on every popish schoolmaster; and a like fine on those who retain or maintain such schoolmaster. This act gives one half of all the penalties and forfeitures to those who shall prosecute to conviction.

The act of the eleventh and twelfth of William the Third, gives the whole of the forfeiture of one hundred pounds, for sending a child or other person to be educated in any popish seminary beyond the seas, to those who shall discover and convict any person so offending. It also offers a reward of one hundred pounds to those who shall convict any popish bishop, priest, or jesuit, of exercising any part of their functions in these realms, unless qualified according to the late act; and it subjects all such offenders, as well as all popish schoolmasters, who neglect to qualify as aforesaid, to perpetual imprisonment.

Having thus stated the laws which relate to papists, you will easily observe, Sir, that the late act gives no right to popish bishops, priests, jesuits, or schoolmasters, to
exercise

exercise any part of their functions: those indeed who qualify, by taking and subscribing the oaths enjoined by the late statute, are freed from the penalties contained in the aforesaid act of William the Third; they are thence forward in no danger of perpetual imprisonment, nor will bad men be stimulated to bring them to trial, by the hopes of obtaining an hundred pounds reward: but priests and jesuits may be prosecuted upon the act 23d of Elizabeth, or on that of the 27th of the same reign, at the election of the prosecutor; and schoolmasters may be proceeded against upon the act 1st of James the First.

Should any Roman catholic dare to withdraw any person from the established to the popish religion, he may, by the act 23d of Elizabeth, be prosecuted as a traitor; and all sayers and hearers of mass may, by the same statute, be fined and imprisoned for the space of a whole year. If any prosecutor shall think this punishment inadequate to the offence, he may proceed upon the act made in the 27th year of that reign, by which all jesuits, seminary priests, or other such priests, deacons, or religious or ecclesiastical persons whatsoever, born within his Majesty's dominions, and found in any part of the realm, are to suffer as traitors; and all those who wittingly and willingly receive, relieve, comfort, aid, or maintain them, are punishable as in cases of felony. This law, Sir, is certainly very severe, and, notwithstanding what the associators have advanced on the subject, it is in no degree virtually repealed: but, for the sake of humanity, and the honour of protestantism, I hope it will ever continue dormant in the statute-books. Many weighty reasons which doubtless operated on the legislature, in making such laws, have now no existence: and as our Roman catholic fellow-subjects know, that the persecuting conduct of their forefathers has

has placed them (their descendants) within the lines of suspicion, and that the civil arm is now clearly on the protestant side, I hope they will sedulously endeavour to merit that Christian toleration and civil lenity which so eminently mark the character of Britons. They have long had the pleasing experience of protestant indulgence; and it is doing them no more than common justice to say, that their peaceable and loyal behaviour, at a time when faction and sedition stalk through the kingdoms with impunity; entitles them to greater degrees of favour. Should they, at any future period, forget their obligations to so indulgent a government, and act unworthy the favourable regards of their protestant fellow-subjects, a due execution of the laws against popery will then become an act of justice to the state, and their punishment will be rendered more poignant, by the recollection of that justly forfeited indulgence which they formerly enjoyed. Protestants may then ground their petitions, for a repeal of the late statute upon certain and *indubitable facts*, instead of pleading their *fears*, their *imaginations*, and their *dreams*; and the unhappy objects of such necessary coercion will have only their own imprudent and ungrateful conduct to blame for the consequences.

As we believe that popery abounds with error and absurdity, we ought to be always ready to enter into free and serious conversation with papists on religious subjects. When protestantism is attacked, it is incumbent on its professors *to contend earnestly for the faith once delivered to the saints*: and as we know popery to have formerly been of an intolerant and persecuting spirit, we should carefully endeavour to avoid bringing protestantism into that horrid predicament. We should always consider, that no man can, with propriety, reprove that in others which he allows in himself; and as we
justly

justly condemn every species of persecution in the Roman catholics, we certainly ought to guard against every appearance of it amongst ourselves. Papists, believing in the infallibility of the pope, may ignorantly plead his authority for their acts of cruelty; but, as we trust not to any thing short of the sacred oracles, which expressly forbid all manner of coercion and violence in matters of faith, we shall be utterly inexcusable if we act directly contrary to that divine command which says: *Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you* — The association, in page 9th, says: “ Persecution, on the account of religion, is equally “ wicked and absurd, because it defeats its own end; “ for, instead of reconciling the mind to any set of religious principles, it must excite the utmost horror “ and disgust: it may make hypocrites——it cannot “ make true converts.” These sentiments, Sir, are consonant to reason, and worthy of being adopted by every Christian; but they are quite repugnant to those measures which the associators earnestly recommend, and clearly subversive of their intolerant designs! The associators certainly do recommend persecution, on the account of religion, and therefore I conclude, that their plan is equally *wicked and absurd*; because, viewing it in that light, it defeats its own end: instead of reconciling the minds of our popish fellow-subjects to the principles of the protestant religion, it must, as the associators justly say, “ excite the “ utmost horror and disgust.”

Many of the associators, I believe, are actuated by a true, though mistaken zeal for the protestant religion; but I am far from thinking, that the leaders in that business can justly plead such purity of principle. I am persuaded that several of them are fellow-labourers with
our

our patriots, in their destructive opposition to government; and I cannot avoid presuming, that some of the clerical members wish to acquire popularity, in order to draw hearers from those dissenting ministers, who, zealous for protestantism, and firmly attached to their country, cannot join in dishonouring the former, nor in disturbing the peace, and endangering the welfare of the latter. When protestant ministers apply to the civil power, for the interposition of its authority, in behalf of the protestant religion, they declare themselves to be overmatched, by their calling out for more help; and, unless some very particular circumstances warrant the measure, they ought to consider themselves as accountable to God and their country for the consequences.

Although it must be granted, that papists profess tenets which afford protestant governments just cause to watch their conduct as subjects, I cannot think that they are proper objects of legal punishment, unless proved guilty of some particular act of delinquency. We know that the *absolving* and *dispensing* power of the pope, as well as his spiritual *supremacy*, are articles of the popish creed; but we cannot believe, that *all* papists, or even the generality of them, do really hold such opinions. The doctrinal articles of the church of England continue to be subscribed by all the established clergy; but will any man venture to say, that their sentiments, either real or professed, correspond with that *formal* approbation? The diversity of opinions, among those who subscribe, is notorious; and some of them are as opposite to each other as darkness is to light. If this be the case amongst protestants, what must we think of the professors of *that* religion which abounds with superstition and error? If we are sensible that infidelity has lately made great progress amongst protestants,

testants, we cannot believe that it is less prevalent among the Roman catholics, although, they may be much more careful to keep it concealed. I am sorry to say, that many, who complain loudly against the pope of Rome, are frequently endeavouring to set up *pope self*; that those who exclaim against popish cruelty, are seeking for power to persecute; and that, whatever errors there may be in popery, there is one among protestants of a much greater magnitude. We know that there are many avowed SOCINIANS among us; and, probably, there are many more who dare not avow their heretical principles. The papists, so far as we know, are free from this capital error. Their superstition and their errors are, indeed, inimical to religious liberty, hurtful to Christianity, and, in some particulars, repugnant to common sense. But Socinians, Sir, endeavour to pull down the main pillar of the Christian religion; they aim at rendering the death of our Saviour totally ineffectual; and, alarming consideration! they attempt to strip Christianity of every thing that is valuable to a sinful world.

To conclude, Sir: the legislature, in granting relief to our popish fellow-subjects, must have been actuated by religious, or by political motives; if the associators suppose the former, they cannot, consistent with the principles of civil and religious liberty, endeavour to counteract them; and, if they suppose the latter to have been the case, they must believe, that the political objects of government are not yet obtained; and therefore, that all attempts to frustrate the great national purposes of the statute, are directly contrary to that duty which every individual owes to his king and his country. The associators affect to be anxiously concerned for the protestant religion and the British constitution; but their conduct declares them to be regardless of both.

E

Regardless

Regardless did I say? Yea more: they are, virtually, enemies to both. In proposing a law to prevent papists from holding religious conversation with protestants, on pain of *exemplary punishment*, they pay an ill-judged compliment to popery, at the expence of protestantism: and in endeavouring to stir up commotions throughout the kingdoms, at this dangerous crisis, to create jealousy in the minds of the people, respecting their civil and religious rights, to alienate the affection of the subjects from their most gracious Sovereign, and to embarrass government, by bringing it into universal contempt, they are *traitors* to their king, and *enemies* to the constitution. By looking into Roman catholic states we may easily see, that the power of the pope is much on the decline; and thence we may hope, that the consciences of papists are, in a great measure, emancipated from their former papal slavery: be that as it may, we should be careful to act, in all cases, as becometh Christians. Love is the distinguishing characteristic of true Christianity, and such as properly exercise that god-like virtue, yield obedience to their divine master, and do real honour to their profession: but those who are for acts of parliament to prohibit free discussion, and call for *penal laws* to bind the conscience in matters of religion, are inimical to liberty, enemies to Christianity, and a disgrace to the protestant cause.

I am glad, Sir, to find, that the applications which the association have made to the several dissenting congregations, in and about London, have met with that contempt which the pernicious views of the leading associators deserve. Some ministers have, indeed, joined them, and several of the laity have contributed to their designs, by their names and their money: but almost all the regular dissenting ministers, with much the greater part of their congregations, have behaved as

good

good subjects; and done real honour to the protestant cause. Although it would ill become me, in contending for religious and civil liberty, to deny others the free exercise of their rights, I beg leave to say, it is incumbent on all to act cautiously, when the interest of religion and the welfare of their country are eminently concerned. Protestants ought always to distinguish between *popery* and its *professors*; and, in opposing the former, they should be careful to avoid injuring the latter. In every important matter, passion and prejudice are apt to blend themselves even with our most laudable zeal; and hence that rectitude which ought always to mark the conduct of every Christian, is in a great measure destroyed. Those who wish the protestant religion to prevail against popery, ought to use their best endeavours to dress it in the most engaging colours. Have papists frequently discovered a persecuting spirit? Let us be careful to prevent their having such power as would enable them to act injuriously. Do we charge popery with intolerant principles? Let us be sedulous in recommending protestantism by a manifestation of Christian *love* and *forbearance*. Papists are said to be indefatigable in making proselytes; but protestants have many more opportunities, in this country, and they also have much nobler incentives. It has often been reported, that papists spare neither pains nor expence in procuring and educating the children of indigent protestants; but no one has ever said, that any attempts have been made to hinder protestants from being equally sedulous and liberal. If papists believe that their religion is consonant to scripture, their zeal in propagating it, is worthy of praise; and if we know that protestantism is, upon fair trial, the purest religion in the world, our want of zeal in its cause must certainly redound to our shame. As protestants are, with us, more numerous, more powerful,

powerful, and more opulent than papists, the complaints of the former, respecting the *dangerous influence* of the latter, must appear in a very unfavourable light; and their want of due zeal for Christianity in general, and the protestant religion in particular, is much to be deplored.

That real religion and true godliness may universally prevail over superstition, error, and idolatry; that the meek and liberal spirit of the gospel may possess the minds and influence the conduct of all its professors; that Great Britain may ever continue distinguished as a protestant, a free, and a happy state; and that a race of illustrious princes, lineally descended from our most gracious Sovereign, may mildly govern, and effectually guard the British empire, till kings and kingdoms shall be here no more; is the anxious wish of,

Reverend Sir,

London

5 OC59

Feb. 10, 1780.

Yours, &c.

